

## Article - Education

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§17–105.

(a) The Maryland Higher Education Commission shall certify the amount of aid due each institution under this subtitle to the Governor, who shall include the total amount in the annual budget submission.

(b) If a private nonprofit institution of higher education has implemented a new or substantially modified program contrary to the recommendation of the Maryland Higher Education Commission that was based on a finding of unreasonable duplication, then the Maryland Higher Education Commission may recommend that the General Assembly reduce the appropriation by the amount of aid associated with the full-time equivalent enrollment in that program. This provision does not preclude the private nonprofit institution from going forward with implementation of the new or substantially modified program.

(c) The Maryland Higher Education Commission shall certify the amount of aid due each institution, less any reduction made by the General Assembly under subsection (b) of this section, to the State Comptroller, who shall pay it from appropriations made for this program under the normal budgetary procedures.

(d) (1) If the General Assembly reduces program funding under subsection (b) of this section, the affected private nonprofit institution annually may reapply to the Maryland Higher Education Commission for reconsideration of the program recommendation.

(2) If the Commission determines that the unreasonable duplication no longer exists, then the Commission may recommend that there be no reduction in the institution's amount of aid.

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